



Consumer Healthcare

October 2017

The Honorable Greg Walden  
Chair  
House Energy and Commerce Committee  
2125 Rayburn House Office Building  
Washington, D.C. 20515

The Honorable Frank Pallone  
Ranking Member  
House Energy and Commerce Committee  
2322A Rayburn House Office Building  
Washington, D.C. 20515

Dear Chairman Walden and Ranking Member Pallone:

I am writing as President, U.S. Consumer Healthcare, of Perrigo, the largest maker of store brand over-the-counter (OTC) medicines in the U.S. to provide our views on an issue being discussed in the negotiations on broad OTC monograph reform. As a company whose business is to provide US consumers with high-quality, value priced store brand OTC drugs that are equivalent to the national brands, we support the concept of rewarding companies innovating under the OTC monograph system with a two-year "head start" of exclusivity in the marketplace. Written correctly, such a program can create a surge of innovation that will increase the choices available to consumers, protect the choices they already have, and would continue to allow transparent price competition.

We would like to make clear that the OTC market makes this concept very different from market exclusivity in the prescription drug context. With prescription drug exclusivity, the active pharmaceutical ingredient is only available from one company for an extended period of time before those protections expire and generic equivalents are approved. The robust competition in the OTC market, a shorter time of exclusivity (of being alone) on the market, and – except for the rare case of bringing an established foreign ingredient to the U.S. – the fact that no company would receive a monopoly on a new active pharmaceutical ingredient, ensure that consumers would retain access to the medicines they need in a price-competitive environment.

We appreciate the work being done on preserving and modernizing the OTC monograph, and we are happy to provide further information or answer any questions you may have.

Sincerely,

Jeff Needham

EVP and President, Consumer Healthcare – Americas  
Perrigo Company

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